

1 THE HONORABLE JOHN C. COUGHENOUR

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6 UNITED STATES DISTRICT COURT
7 WESTERN DISTRICT OF WASHINGTON
8 AT SEATTLE

9 UNITED STATES OF AMERICA,
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11 Plaintiff,
12 v.
13 THANH CONG PHAN,
14 Defendant.

CASE NO. CR18-0086-JCC
ORDER

15 This matter comes before the Court on the Government's unopposed motion to seal (Dkt.
16 No. 42) its response to Defendant's competency evaluation (Dkt. No. 43).

17 "There is a strong presumption of public access to the court's files." W.D. Wash. Local
18 Civ. R. 5(g). To overcome this presumption, there must be a "compelling reason" for sealing
19 sufficient to outweigh the public's interest in disclosure. *Ctr. for Auto Safety v. Chrysler Grp.,*
20 *LLC*, 809 F.3d 1092, 1101 (9th Cir. 2016) (applying the "compelling reason" test to motions to
21 seal documents "more than tangentially related to the merits of a case"). The Government seeks
22 to maintain under seal its response to Defendant's competency evaluation. (Dkt. Nos. 42, 43.)
23 The competency evaluation, and the Government's response to it, contains highly personal and
24 sensitive information about Defendant, in which the public has minimal interest. (Dkt. No. 43.)
25 On this basis, the Court finds there is a compelling reason to seal the Government's response that
26 outweighs the public's interest in disclosure.

1 For the foregoing reasons, the Government's motion to seal (Dkt. No. 42) is GRANTED.
2 The Clerk is DIRECTED to maintain Docket Number 43 under seal.

3 DATED this 5th day of February 2019.

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7 John C. Coughenour
8 UNITED STATES DISTRICT JUDGE
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